

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



INSTRUCTIONS FOR COMPLETING A
CLAIM TO A WATER RIGHT

Prior to March 25, 1963, for ground water and May 20, 1971, for surface water, a right to use the public waters of Idaho could be established by diverting water and applying it to a beneficial use. Under the provisions of Section 42-243, *Idaho Code*, any person using or claiming water rights established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed, but failure to file may result in loss of a water right.**

Water rights represented by a valid permit, license, decree, or previous claim, including a claim filed in an ongoing general adjudication of water rights, are exempt from the claim filing requirement. Uses of water for domestic purposes as defined in Section 42-111, *Idaho Code*, are also exempt from this requirement.

Claim only one water right per claim form. If the claim is incomplete, it will be considered invalid and will be returned to you for the missing information. Do not use the Claim to a Water Right form to apply for a new water right.

COMPLETE THE CLAIM FORM AS FOLLOWS

Start by printing the full **Name**, mailing **Address**, **Telephone Number**, and **Email Address** of the claimant in the spaces provided.

1. **Date of Priority.** Enter the date the water was first used as described in the claim. If you do not know the exact date, enter an estimate based on title abstracts, neighbors' recollections, courthouse records, or any other clues. Note that only one date may be submitted. If your water uses were developed in stages, multiple claims may be required.

2. **Source.** Identify the source of water supply and the major stream to which it is tributary.

EXAMPLES	Source of water supply <u>Trail Creek</u>	which is tributary to <u>Snake River</u>
	Source of water supply <u>unnamed stream</u>	which is tributary to <u>Grimes Creek</u>
	Source of water supply <u>groundwater</u>	which is tributary to <u>n/a</u>

3. **Quantity, Use, and Period of Use.** Indicate the maximum rate of diversion and/or the maximum amount of storage used for each purpose shown. State quantities in cubic feet per second (cfs) rounded to the nearest hundredth (0.01) or acre feet (af) rounded to the nearest tenth (0.1). Describe the water use and state the annual beginning and ending dates for the diversion of water. Normal allowances are:

Domestic – 0.04 cfs per household, including up to ½ acre of lawn and/or garden irrigation.

Irrigation – 0.02 cfs (1 miner's inch) per acre.

Stockwater – 0.00022 cfs per head for range cattle/horses, 0.00065 cfs per head for dairy cattle.

Other typical uses of water are mining, power generation, industrial, commercial, recreation, aesthetic, wildlife, municipal, heating, cooling, fire protection, groundwater recharge and fish propagation. The term "Domestic" may describe any type of water use that does not exceed 2,500 gallons per day nor 0.04 cfs.

EXAMPLES

Quantity	<u>6.40 cfs</u>	Use	<u>Irrigation</u>	Period of Use From	<u>3/15</u>	to	<u>11/15</u>
Quantity	<u>0.02 cfs</u>	Use	<u>Domestic</u>	Period of Use From	<u>1/1</u>	to	<u>12/31</u>
Quantity	<u>5.0 af</u>	Use	<u>Stockwater Storage</u>	Period of Use From	<u>1/1</u>	to	<u>12/31</u>

4. **Total quantity.** State the total rate of diversion after accumulating flows for each use. The quantity entered in Item 4 may be less than the total of the quantities listed in Item 3. However, it must be at least equal to the largest quantity in line Item 3. The acre-feet quantity need not be shown unless water will be stored. If the project proposes storage of water and also a direct flow diversion, both the storage and direct flow components can be shown on the same form.

5. Point of Diversion.

A) Locate the point of diversion within each 40-acre tract and/or the U.S. Government Lot of the Public Land Survey System. Spring sources should be described to the nearest 10-acre tract. When both the government lot and the 10-acre or 40-acre tract are shown, the government lot is considered to be the principal legal description. Identify the county where the point of diversion is located.

EXAMPLE: Location of point of diversion is SW ¼ of NE ¼ of NW, Govt. Lot 4, Sec. 14, Township 10S, Range 14E, B.M., Twin Falls County.

B) Describe the complete diversion system. List the pump, motor, ditch, pipeline or diversion structure sizes. Be as descriptive a possible.

6. Place of Use.

A) Locate all water uses by writing in the townships, ranges and sections. Identify the uses within each 40-acre tract with the symbols shown on the table below. The number of acres to be irrigated in each 40-acre tract must be shown.

EXAMPLE

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	ACRES
8N	4W	22									40	40	20	16					116
8N	4W	22									D,S								

TOTAL ACRES 116

Water Use Symbols:

Stockwater - S	Domestic - D	Cooling - L	Industrial - I	Recreation - R
Commercial - C	Fire Protection - F	Power - P	Mining - X	Fish Propagation - H
Aesthetic - J	Heating - G	Wildlife - W	Municipal - M	GroundwaterRecharge - E

B) Describe in detail all water uses other than irrigation. For example, if water is used for commercial purposes, describe the size and nature of the commercial establishment and the way in which water is used in the commercial establishment.

7. **Remarks.** The remarks section should include information to further clarify or support your claim to a water right. You may also attach copies of abstracts, deeds, affidavits, or other information to substantiate the validity of your claim.

8. **Map.** The map must locate the point of diversion from the source of water and the location of the lands to be irrigated or the place where the water will be used. The map must also show townships, ranges, sections, and government lots. Important landmarks such as rivers, streams, roads and highways should be shown on the map. If the place of use is located in a recorded subdivision, submit a copy of that portion of the subdivision plat which contains the lot on which water is used. You may sketch the map on a blank sheet of paper or draw the details of your water use on a base map such as a USGS 7½-minute topographic quadrangle or an aerial photograph.

SIGNATURE AND FEE

Sign the claim exactly as the name appears in Item 1, unless the applicant is a corporation, municipality, partnership or other entity. If the claimant is a corporation, municipality, or partnership, the person signing the claim must be an officer or elected official of the corporation or municipality and must show the position below the signature.

If the only water use identified on the claim is domestic purposes as defined in Section 42-111, *Idaho Code*, a fee of \$100.00 must accompany the claim. The fee for all other claims is \$250.00. After June 30, 2005, the fee increases to \$500.00. Make checks payable to Idaho Dept. of Water Resources. Submit your claim and fee to one of the following offices:

Northern Region

Idaho Dept. of Water Resources
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
Tel. – 762-2800

Eastern Region

Idaho Dept. of Water Resources
900 N. Skyline Dr.
Idaho Falls, ID 83402
Tel. - 525-7161

Southern Region

Idaho Dept. of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, ID 83301
Tel. - 736-3033

Western Region

Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705
Tel. - 334-2190